IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

WP(C).No. 30830 of 2006(T)

PETITIONER:

P.K. SAIDU MUHAMMED, S/O.KUNJU MOIDEEN,
PUTHUKKADAN HOUSE, NEAR MES HOSPITAL,
ERUMATHALA P.O., ALUVA.

BY ADV. SRI.C.K.ABDUL RAHIM

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE JOINT REGIONAL TRANSPORT OFFICER,
SUB REGIONAL TRANSPORST OFFICE, ALUVA.

***3. M/S. MAHEENDRA & MAHEENDRA FINANCIAL**
SERVICES, KALOOR, KOCHI.

***ADDL. R3 IS IMPLEADED AS PER ORDER DATED**
29/11/2006 IN IA NO. 16498/2006.

BY GOVERNMENT PLEADER SMT M.K. PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 30830/2006 T

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE RELEVANT PAGES OF THE REGISTRATION CERTIFICATE OF THE VEHICLE.

EXT.P2. COPY OF THE GOODS CARRIAGE PERMIT OF THE VEHICLE.

EXT.P3. COPY OF THE FITNESS CERTIFICATE.

EXT.P4. COPY OF THE REPAYMENT SCHEDULE ISSUED BY THE FINANCIER.

EXT.P5. COPY OF THE STATEMENT OF ACCOUNT ISSUED BY THE FINANCIER

EXT.P6. COPY OF THE LAWYER NOTICE DT. 27/12/2004.

EXT.P7. COPY OF THE POSTAL ACKNOWLEDGEMENT CARD OF LAWYER NOTICE.

EXT.P8. COPY OF THE LETTER ISSUED TO FINANCIER DATED 3/10/2006.

EXT.P9. COPY OF THE POSTAL ACKNOWLEDGEMENT CARD EVIDENCING RECEIPT OF EXT. P8.

EXT.P10. COPY OF THE APPLICATION FOR RENEWAL OF PERMIT DT. 7/11/2006.

EXT.P11. COPY OF THE DECLARATION SUBMITTED TO THE R2 ALONG WITH THE RENEWAL APPLICATION DT. 1/11/2006.

EXT.P12. COPY OF THE COVERING LETTER, DT. 1/11/2006.

EXT.P13. COPY OF THE RECEIPT FOR PAYMENT OF THE PERMIT RENWAL FEE, DT. 7/11/2006.

[True Copy]

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K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 30830 OF 2006-T

JUDGMENT

The petitioner has approached this Court, feeling aggrieved by the omission of the 2nd respondent to renew the permit granted in respect of his goods vehicle KL-7/AF 2220. He submits, though he moved the financier for issuing NOC, there was no response. So, he filed the necessary declaration Ext.P11 along with Ext.P10 renewal application. The petitioner submits, though Ext.P10 was received, later it has been returned for want of NOC from the financier. Seeking appropriate directions to the 2nd respondent to renew the permit, this Writ Petition is filed.

2. Heard. The Writ Petition is disposed of, directing the 2nd respondent to receive Ext.P10, if it is re-presented and pass final orders on it, after affording an opportunity of being heard to the petitioner and the 3rd respondent in accordance with law within one month from the date of re-presentation of that application.

19th February, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/